IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15804 of 2004

Between:

Ekashila Filling Station Vidyarayapuri, Hanamkonda
rep. by its Manager, B.Sreenivas S/o. Bala Narsu aged 34 years
R/o. Hanamkonda, Warangal District.

..... PETITIONER

AND

1 The Collector (Civil Supplies), Warangal.
2 The Superintendent of Police, Warangal
3 Inspector of Police, Hanamkonda Circle, Hanamkonda, Warangal District.
4 S.I. of Police, Kakatiya University Campus Police Station Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction declaring the inaction of the first respondent in not giving suitable directions to the Police, K.U.C. Police Station, not to interfere with the business of the petitioner so long as the petitioner holds a valid licence to run the out let, and the action of respondents 2 to 4 in preventing the petitioner from running the business as arbitrary illegal and unconstitutional.

Counsel for the Petitioner: MR.K.SURESHREDDY (Not present)

Counsel for the Respondent No.1:

Counsel for the Respondent Nos.2 to 4: GP FOR HOME

The Court at the stage of admission made the following:

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ORDER:

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None appears for the petitioner. Heard the learned Government Pleader for Home appearing on behalf of respondent Nos.2 to 4.

This writ petition is filed seeking to declare the action of respondent No.1 in not giving suitable directions to the police, K.U.C. police station not to interfere with the business of the petitioner so long as it holds a valid licence to run the out let, and also the action of respondent Nos.2 to 4 in preventing the petitioner from running the business, as arbitrary and illegal.

A counter-affidavit is filed on behalf of respondent Nos.2 to 4 denying the averments made in the affidavit filed in support of the writ petition. It is stated that at no point of time the police have interfered with the running of petitioner's business. It is stated that as no interference was caused by the police to the business of the petitioner, the question of inaction on the part of respondent No.2 in the matter, does not arise, and respondent Nos.2 and 3 never interfered with the petitioner's business, so there is no inaction on the part of respondent No.1.

In view of the above averments in the counter-affidavit filed on behalf of respondent Nos.2 to 4, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

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N.V. RAMANA, J

Date: 26-4-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Collector (Civil Supplies), Warangal.
2 The Superintendent of Police, Warangal
3 Inspector of Police, Hanamkonda Circle, Hanamkonda, Warangal District.
4 S.I. of Police, Kakatiya University Campus Police Station Warangal.

5 Two Ccs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad (OUT).

6 Two CD copies

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